

AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 12/13/2010
FROM: Faith G. Miller, City Manager **AGENDA ITEM:** 7 - D
SUBJECT: Request for Approval of Waiver of Fees for Martin Luther King (MLK) Celebration at Deltona Amphitheater and Dewey Boster Sports Complex.

LOCATION:

Deltona Amphitheater - January 16, 2011 & Dewey Boster Sports Complex - January 17, 2011

BACKGROUND:

The City has received a request from Mike Williams, Chairman, MLK Celebration Committee, representing the not for profit organization of the African-American Association of Deltona, for waiver of the applicable costs and permit fee associated with the MLK Celebration at the Deltona Amphitheater on Saturday, January 16, 2011 and the Dewey Boster Sports Complex scheduled for January 17, 2011.

Attached, for your information, is a copy of Commission Policy #CC99-005 regarding in-kind donations.

The costs associated with the request for waiver of fees/costs and in-kind services from Fire and Sheriff's Department includes the following:

Parks & Recreation - \$1,625.00 (field rentals, amphitheater fees, application fee, supplies, one employee)

Fire/Rescue - \$ 700.00 (standby unit, permit fee)

Sheriff's Dept. - \$ 0

Public Works - \$ 300.00 (generator)
Total: \$2,625.00

**ORIGINATING
DEPARTMENT:**

Budget Division

SOURCE OF FUNDS:

General Fund

COST:

Amount of fees requested to be waived - \$2,625.00

REVIEWED BY:

Parks and Recreation, Legal, Deputy City Manager

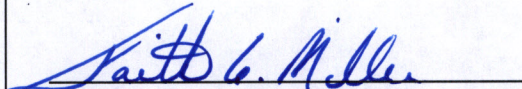
**STAFF
RECOMMENDATION
PRESENTED BY:**

Steve Moore, Parks and Recreation Director - To approve the request for in-kind services and waiver of fees /costs, valued at \$ 2,625.00 for the MLK Celebration usage at the Deltona Amphitheater and the Dewey Boster Sports Complex within the guidelines of the Commission Policy #CC99-005.

**POTENTIAL
MOTION:**

"I move that in accordance with Commission Policy #CC99-005, that the Commission grant the request by Mike Williams on behalf of the MLK Celebration Committee to waive the applicable fees/costs and in-kind services from City departments for the events scheduled for January 16, 2011 and January 17, 2011."

**AGENDA ITEM
APPROVED BY:**


Faith G. Miller, City Manager

ATTACHMENTS:

- Amphitheater Application
- Special Event Application
- FD costs
- PW costs
- Amphitheater Fees
- transmittal form



DELTONA AMPHITHEATER FACILITY USE CONTRACT

(PLEASE PRINT)

Applicant's Name: Michael E. Williams (Must be 18 years of age or older)
Address: 2889 Cottageville Street Deltona, FL 32738
Phone Number: (Daytime) 386-804-6136 (Evening) 386-574-6425
Name of Group (If Applicable) Deltona Dr. Martin Luther King Celebration
Event Contact: Michael E. Williams Phone Number: 386-804-6136

ACTIVITY: Describe the event in detail, including any equipment, etc. to be brought to the site
Sunday Afternoon Martin Luther King Gospel Celebration
The event will bring together Church choirs, soloists and
Gospel groups from in and around Deltona

Date(s) Requested: Jun 16, 2017 Site/Facility Requested: _____ Area/Room _____

Total Rental Time: From: 3:00 P.M. to: 7:00 P.M.

Will you serve food? No Do you wish to serve alcohol? No

Do you intend to sell food, goods or services including donations or admission at the event? If yes, explain: No

Set-up/Special Request: We will bring our own sound system
and microphones

HOLD HARMLESS/INSURANCE AGREEMENT

The user will indemnify and hold harmless the County of Volusia and the City of Deltona from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of or resulting from the occupancy of the Parks by the User its agents, servants invitees, and guests under this license.

The User will take all reasonable precautions for the safety of, and will provide reasonable protection to prevent damage, injury or loss to all persons and property in the Park.

The User will comply with all laws, ordinance, regulations, or other regarding the safety of persons or property, or their protection from damage, injury or loss.

In an emergency affecting the safety of persons or property, the User will act with reasonable care and discretion to prevent threatened damage, injury or loss.

The applicant shall supply, when required, a Certificate of Insurance reflecting minimum coverage of \$500,000 Comprehensive General Liability Insurance, without deductibles, per occurrence. The County of Volusia and the City of Deltona shall be named as an additional insured which shall be noted on the Certificate of Insurance reflecting minimum of \$500,000 Comprehensive, General Liability Insurance without deductibles, per occurrence. The Count of Volusia and the City of Deltona shall be named as an additional insured which shall be noted on the Certificate of Insurance. The Certificate shall indicate that the applicant's insurance policy shall not be cancelable without thirty days of prior notice to Volusia County and the City of Deltona.

The undersigned agrees to abide by the regulations governing the said facility and is responsible for charges incurred and must supply the Certificate of Insurance to Volusia County and the City of Deltona no later than thirty (30) calendar days prior to the Program-Event date.

Applicant's Signature: Michael E. Williams Date: 9/23/2010

TO BE COMPLETED BY STAFF:

FEES

Rental Fee (Explain if Applicable): \$ _____ Security Deposit (If applicable): \$ _____

Total Fee Paid \$ _____ Insurance Certificate Received: ☐ YES ☐ NO

This form accompanied by total fees and appropriate insurance, waivers and permits, must be signed by the applicant and approved by Leisure Services before a reservation can be guaranteed. Applications and fees must be received 30 calendar days prior to required use unless specific arrangements have been made. Payment may be in the form of cash, money order, or check. Make payments to: City of Deltona.

DEPARTMENT USE ONLY

Safety/Security Plan Approved:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Site Plan Approved:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Trash/Sanitation Plan Approved:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Traffic Plan Approved:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Certificate of Insurance Required:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Received: _____
Alcohol Request Required:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Approved: _____
Host Liquor Liability Policy Required	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Received: _____
State Liquor Permit Required:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Received: _____
Health Dept. Licensing Required:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Received: _____

Department Authorization: _____ Date: _____
Facility Contact: _____ Date: _____

SPECIAL REQUIREMENTS: (To be filled out by staff):

Appendix 1

VOLUSIA COUNTY
Community Services
202 N. Florida Avenue, DeLand
(386) 736-5953

FACILITY USE CONTRACT

Parks, Recreation & Culture Division

Applicant's Name: Michael E. Williams (Must be 18 Years of Age or Older)
Address: 2889 Cottageville Street Deltona, FL 32738
Phone Number: (Daytime) 386-804-6136 (Evening) 386-574-6425
Name of Group (If Applicable): Deltona Dr. Martin Luther King Celebration
Event Contact: Michael E. Williams Phone Number: 386-804-6136
ACTIVITY: Describe the event in detail, including any equipment, etc. to be brought to the site
Sunday Afternoon Martin Luther King Gospel Celebration.
The event will bring together church choirs, soloists and
Gospel Groups from Inland around Deltona
Date(s) Requested: 1/16/2011 Site/Facility Requested: _____ Area/Room _____
Total Rental Time: From 3:00 P.M. To 7:00 P.M.
Estimated Number of Participants: 300-400 Estimated Number of Vehicles: 200
Will You Serve Food? NO Do You Wish To Serve Alcohol? NO
Do You Intend To Sell Food, Goods, Or Services Including Donations Or Admission At The Event? If yes explain: NO

SET-UP / SPECIAL REQUEST We will bring our own sound
system and microphones.

HOLD HARMLESS / INSURANCE AGREEMENT

The User will indemnify and hold harmless The County of Volusia from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of, or resulting from the occupancy of the Park by the User, its agents, servants, invitees, and guests under this license.

The User will take all reasonable precautions for the safety of, and will provide reasonable protection to prevent damage, injury, or loss to all persons and property in the Park.

The User will comply with all laws, ordinances, regulations, or other regarding the safety of persons or property, or their protection from damage, injury, or loss.

In an emergency affecting the safety of persons or property, the User will act with reasonable care and discretion to prevent threatened damage, injury, or loss.

The applicant shall supply, when required, a Certificate of Insurance reflecting minimum coverage of \$500,000 Comprehensive, General Liability Insurance, without deductibles, per occurrence. The County of Volusia shall be named as an additional insured which shall be noted on the Certificate of Insurance reflecting minimum of \$500,000 Comprehensive, General Liability Insurance, without deductibles, per occurrence. The County of Volusia shall be named as an additional insured which shall be noted on the Certificate of Insurance. The Certificate shall indicate that the applicant's insurance policy shall not be cancelable without thirty days prior written notice to the County.

The undersigned agrees to abide by the regulations governing the said facility and is responsible for charges incurred and must supply the Certificate of Insurance to the Volusia County Leisure Services no later than thirty (30) calendar days prior to the Program / Event Date.

Applicant's Signature Michael E. Williams Date: 9/23/2010



Parks & Recreation Department
2345 Providence Boulevard
Deltona, FL 32725
(386) 878-8900, Fax (386) 878-8901

PROJECT NO.: SE11-001
ADDRESS: DEWY BOULEVARD
PROJECT NAME: MLK Celebration
(Do NOT write in this box—for office use only!)

Rec'd
9/15/2010

CITY OF DELTONA
SPECIAL EVENTS
MUSIC/ENTERTAINMENT/FESTIVAL PERMIT APPLICATION
(A 60 day prior notice of event is required)

There is a \$50 fee required with this application which is due when the application is submitted.

Applicant's Name: Deltona Dr. Martin Luther King Celebration Committee Age: _____
Residence: 2889 Cottageville Street
City: Deltona State: FL Zip: 32738 Phone: 386-574-6425
Mailing address: 2889 Cottageville Street City: Deltona State: FL
E-mail Address: Redwyie@aol.com

☐ Check if partnership and attach names, ages, phone #'s and Address of all partners.
☐ Check if corporation, name of corporation officer: _____

Title: _____ Mailing Address: _____

Purpose of event: Deltona MLK Celebration ON The Park

Security provided by: None

Will activity be open to the public? ☒ Yes ☐ No

Will admission be charged? ☐ Yes ☒ No

Will alcohol be consumed? ☐ Yes ☒ No

Will alcohol be sold? ☐ Yes ☒ No

Dates of Event:	Event Hours:	Set up/Clean up Hours	# of people
<u>1-17-2011</u>	<u>12:00-5:00 PM</u>	<u>8:00 AM/5-6 PM</u>	<u>300</u>
_____	_____	_____	_____
_____	_____	_____	_____

Will a sign be displayed on the property? ____ Yes ☒ No If yes, applicant will need to secure a temporary sign permit from the Department of Planning & Development.

Applicant must provide statement as to the kind, character or type of music/entertainment event proposed to be conducted, operated, or carried-on: The will be Gospel, Hip-Hop Rhythm and Blues and Big Band Music. There will also be
ETHNIC DANCE GROUPS

Provide names of all persons who will perform at such event: FRANKIE V Big Band,
LARRY HYERS, THEN 2 NOW, NEW HOPE Baptist Church Choir, Stony
Sixteen, Gene Cerizzi, Lisa Armelino and HAYGO DANCE GROUP

Address and/or location of the place where outdoor music/entertainment event is proposed to be conducted, operated, or carried on (a site plan **MUST** be submitted with all applications, SEE BELOW):

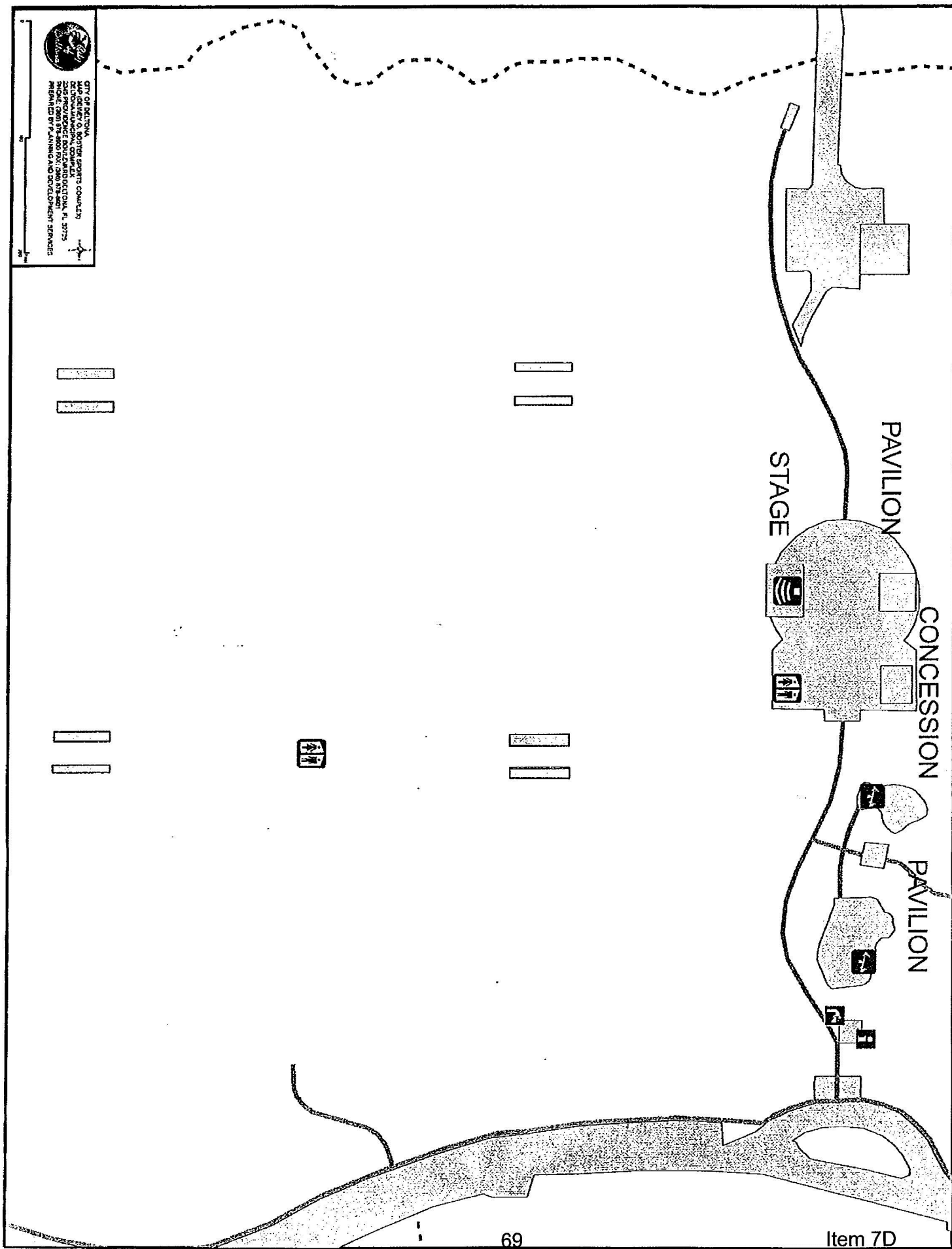
Derwey O' Boster Park - 1190 Saxon Blvd. Deltona

SITE PLAN SPECIFICATION:

A site plan, drawn to a scale no less than one inch equals 60 feet, showing the location and layout of all buildings and structures, parking facilities, sanitation facilities, medical facilities, security gates, ingress and egress points, and lighting poles, if applicable

Applicant's Signature Michael E. Williams
City of Deltona
Parks & Recreation Department

Date Sept. 10, 2010





CITY OF DELTONA FIRE DEPARTMENT
FIRE LOSS MANAGEMENT DIVISION
1685 Providence Blvd., Deltona, FL 32725
Mailing Address: 2345 Providence Blvd., Deltona, FL 32725
Office (386) 575-6925 / Fax (386) 860-7191



SPECIAL EVENT REVIEW SHEET

MLK Celebration

Date: 09 / 30 / 10

Event Address: 1200 Saxon Blvd

Occ. Ch: 11 / 12

Permit #: SE11-001

PFP#: AP-07 – Soccer Complex

Event Name: Deltona MLK Celebration

Date(s) of Event: 01 / 17 / 11

Sponsor/Contact: Michael Williams / MLK Committee **Ph:** (386) 574-6425 **FAX:** (386)

Reviewed []

Reviewed with Comment [X]

Rejected []

Issue Permit []

DO NOT ISSUE PERMIT []

Reviewed By: Inspector Lisa Nadeau, Plan Review

Comment: Plan/Permit reviewed as **Special Event**. Fire Department reserves the right to require additional applicable code requirements if occupancy use / event status changes. **Contact Fire Loss Management at 386-575-6925 to schedule all required Fire Department inspections, which are noted on an attached inspection checklist, if applicable.** All plans and / or information in connection with this event shall be submitted and approved by this office before permit will be issued. **ALL EVENTS SHALL MEET ALL APPLICABLE NFPA, STATE AND LOCAL CODE REQUIREMENTS.**

If any additional activities, such as cooking / vendors are associated with this event, all applicable information shall be submitted to the Fire Loss Management Division for review of applicable code requirements. Check city web site under Fire Loss Management site for additional Special Events Requirements for tents, etc. Fire Department will conduct site inspection prior to event after setup to determine compliance with applicable codes for life safety. Refer to Inspection checklist for required inspections.

1. **Application** – MLK Celebration Festival / Event Times 12:00PM – 5:00PM
2. **Number of People** – 300
3. **Special Definitions** – N/N
4. **Classification of Occupancy / Event** – Special Event / Concerts
5. **Classification of Hazard of Contents** – Ordinary
6. **Fees** – Permit \$100 / Requested Fire Department standby to include a Rescue unit at a rate of \$75 / hour / unit. Any inspections that are required per the inspection checklist will be charged the weekend / holiday rate of \$50 / hr., 4 hour minimum.

Response to Special Event Application

Applicant: Michael Williams (MLK Celebration)

Date of Event: January 17th, 2011

Hours of Event: 0900hrs – 1800hrs

Location: Dewey O'Boster

Equipment Requested: Large Generator to be utilized for the sound equipment.

Large Generator

\$150.00 per day (1 generator for 1 day) = \$150.00

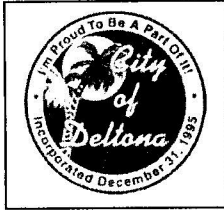
Pick-up truck- \$15.00hr (1 truck for 2hrs total) = \$30.00

Personnel- \$30.00 hr (1 person for 4hrs) = \$120.00

Total Fees for the Large Generator: \$300.00

Total Fees for the equipment usage: \$300.00

If there are any questions regarding these fees, please contact Crystal Harris at (386) 878-8970.



DELTONA AMPHITHEATER FEE SCHEDULE

Rental fees

TIME	COUNTY	CITY	NON-PROFIT	FOR PROFIT
Up to 4 Hours	No Fee	No Fee	\$300	\$500
Per Day	No Fee	No Fee	\$450	\$700

All rental fees include custodial fees.

Concession Fee Schedule

TIME	COUNTY	CITY	NON-PROFIT	FOR PROFIT
Up to 4 Hours	No Fee	No Fee	\$50	\$100
Per Day	No Fee	No Fee	\$75	\$150

Additional Event Fees

Type of service	Under 100	100-500	Over 500	Fee per Unit
Trash cans/recycling	N/A	10	15	\$10
Trash pick-up/dumpster	N/A	1	1	\$15
Recycling Containers	N/A	10	15	\$10
Sheriff's Deputy	N/A	**	**	\$25 Per Hour
Fire Equip/Supplies	N/A	**	**	\$100 Per Unit
Fire Equip/Supplies	N/A	**	**	\$100 Per Unit
EMT*	*	2	2	\$30 Per Hour
EMT Supervisor	*	1	1	\$30 Per hour
Parking Services	N/A	**	**	\$20 per Hour

*Required at events over 3 hours long

** Determined on a case by case basis according to the nature of the event

Any event requiring more than 20 AMPS total power at 110 VOLTS must hire a licensed electrician at fee to be determined.

SECURITY DEPOSITS

A security deposit equal to the amount of the rental fee is required upon application and is refunded when all keys and other materials are returned, the facility is found to be in a clean and undamaged condition, and all fixtures are returned to their original locations.

SPECIAL EVENTS APPLICATION

Applicant: Mike Williams

Project No. : SE11-001

Date of Event: January 16th, 2011 & January 17th, 2011

Hours of Event: Jan 16- 3:00pm-7:00pm & Jan 17 - 9:00am-6:00pm.

Location: Deltona Amphitheater & Dewey O'Boster

Date Application Received:

Date Request Routed to Departments:

RETURN BY 12/3/2008

Department	Response Received
Crystal Harris, Public Works	Yes - See attached
Sgt. Turney, VCSO	Yes - See attached
Crystal Scott, Deltona Fire Dept.	Yes - See attached
Mark Manning, Parks & Recreation	Yes - See attached

YOUR DEPARTMENTS COST ESTIMATE FOR THIS SPECIAL EVENT WILL BE:
(PLEASE BREAK DOWN COST FOR EACH SERVICE)

Deltona Water - \$300.00 for 1 large generator (see attached document)

Fire Department - \$700 - \$100 fee; \$75ph for unit x 8 hours = \$600 (see attached document)

Parks & Recreation department \$1,625.00 - Application Fee - \$50.00; \$210.00 for 1 employee @ \$15 per hour x 9 hours; \$600 for field rentals (3 fields x \$200 per day); \$100 supplies (toilet paper, soap, trash bags, etc.); Amphitheater Fees (See attached document) - \$665.00

Volusia County Sheriff's office - 0

TOTAL \$2,625.00